

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU

&

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

SATURDAY, THE 1ST DECEMBER 2007 / 10TH AGRAHAYANA 1929

W.A.No.2758 of 2007

AGAINST THE JUDGEMENT IN W.P.(C).NO.27514/2007 DATED 26/09/2007

APPELLANT: PETITIONER:-

K.P.MAHESH,
MAHESH MANDIRAM,
MARIATHURUTHU.P.O.
KOTTAYAM.

BY ADV. SRI.G.PRABHAKARAN

RESPONDENT: RESPONDENT:-

THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KOTTAYAM.

BY GOVERNMENT PLEADER SRI.M.P.SREEKRISHNAN.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION
ON 01/12/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:-

H.L.Dattu, C.J. & K.M.Joseph, J.

W.A.No.2758 of 2007

Dated, this the 1st day of December, 2007

JUDGMENT

H.L.Dattu,C.J.

Aggrieved by the orders passed by the learned Single Judge in W.P.(C).No.27514 of 2007 dated 26th September, 2007, the petitioner in the writ petition has presented this Writ Appeal.

(2) The only prayer made in the writ petition was to direct the respondent - the Secretary, Regional Transport Authority, Kottayam - to consider the application filed by the petitioner for grant of a temporary permit.

(3) On the submission made by the counsel appearing for the State, the learned Single Judge disposed of the writ petition directing the Regional Transport Authority, Kottayam to consider the application filed by the petitioner for temporary permit in its next meeting.

(4) This appeal is filed by the writ petitioner-appellant on the ground that the learned Single Judge, instead of directing the Regional Transport Authority, Kottayam to consider the petitioner's application, should have directed the Secretary of the R.T.A., Kottayam to consider the application of the petitioner and pass appropriate orders.

(5) Sri.M.P.Sreekrishnan, learned counsel appearing for the State, would submit that, the Regional Transport Authority has not delegated its powers to the Secretary of the Regional Transport Authority, Kottayam. Therefore, submits that the Secretary has no power to consider the application filed by the petitioner for the grant of a temporary permit. Further, the learned Government Pleader would submit that the Regional Transport Authority, Kottayam would hold its meeting on 7.12.2007 and further submits that the

Regional Transport Authority would consider the appellant's application for grant of temporary permit in that meeting.

(6) In view of the submissions made by the learned counsel appearing for the respondent, in our opinion, no exception can be taken to the orders passed by the learned Single Judge. Therefore, we do not find any reason to interfere with the orders passed by the learned Single Judge. Accordingly, the Writ Appeal requires to be rejected and it is rejected.

Ordered accordingly.

H.L.Dattu
Chief Justice

vku/-

K.M.Joseph
Judge